

## Message Text

PAGE 01 STATE 127607  
ORIGIN OES-07

INFO OCT-01 AF-10 ARA-10 EUR-12 EA-09 ISO-00 L-03  
CEQ-01 IO-14 CIAE-00 INR-07 NSAE-00 COME-00 INT-05  
SMI-01 DODE-00 SIG-02 PA-02 PRS-01 /085 R

DRAFTED BY OES/ENP/EN:CHSANDERS:SRS/NOAA:PFOX  
APPROVED BY OES/ENP/EN:DRKING  
ARA/ECP:COOLEY (INFO)  
EUR/RPE:DSWARTZ  
EA/RA:WGIM  
OES/OFA/OCA:MBUSBY  
L/OES:MLHOINKES  
CEQ:LTAL00T (INFO)  
MMC:REISENBUD (SUBS)

-----030021Z 045400 /13

P R 022200Z JUN 77  
FM SECSTATE WASHDC  
TO AMEMBASSY BRASILIA PRIORITY  
AMEMBASSY BUENOS AIRES PRIORITY  
AMEMBASSY CANBERRA PRIORITY  
AMEMBASSY COPENHAGEN PRIORITY  
AMEMBASSY OSLO PRIORITY  
AMEMBASSY LONDON PRIORITY  
AMEMBASSY MEXICO PRIORITY  
AMEMBASSY MOSCOW PRIORITY  
AMEMBASSY OTTAWA PRIORITY  
AMEMBASSY PANAMA PRIORITY  
AMEMBASSY PARIS PRIORITY  
AMEMBASSY PRETORIA PRIORITY  
AMCONSUL CAPE TOWN PRIORITY  
AMEMBASSY REYKJAVIK PRIORITY  
AMEMBASSY TOKYO PRIORITY  
AMEMBASSY WELLINGTON PRIORITY  
INFO AMEMBASSY LISBON  
AMEMBASSY MADRID  
AMEMBASSY SANTIAGO  
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AMEMBASSY SEOUL  
AMEMBASSY STOCKHOLM  
AMEMBASSY THE HAGUE  
AMEMBASSY LIMA  
AMEMBASSY CARACAS  
AMEMBASSY BERN  
AMEMBASSY BRUSSELS  
AMEMBASSY BONN  
AMEMBASSY SAN JOSE  
AMEMBASSY QUITO

UNCLAS STATE 127607

CAPE TOWN FOR EMBASSY

E.O. 11652: N/A

TAGS: PO, SP, SO, CI, KS, SW, NL, NZ, PE, SENV, IWC

SUBJECT: MAJOR ISSUES AT 29TH MEETING, INTERNATIONAL  
WHALING COMMISSION, CANBERRA, AUSTRALIA, JUNE 204, 1977

1. EMBASSY OFFICERS IN ADDRESSEE POSTS ARE REQUESTED TO SEEK GOVERNMENT SUPPORT FOR U.S. VIEWS ON MAJOR ISSUES AT FORTHCOMING IWC MEETING, AS DESCRIBED BELOW. EMBASSY OFFICER SHOULD DISCUSS ISSUES WITH ENVIRONMENT AGENCY AND OTHER HOST GOVERNMENT AUTHORITIES, AS APPROPRIATE. EMBASSY OFFICERS ALSO SHOULD SEEK TO ENCOURAGE PARTICIPATION OF ENVIRONMENTAL AGENCIES IN HOST GOVT DELEGATION TO IWC.

2. DURING DISCUSSIONS WITH HOST GOVERNMENTS, POSTS SHOULD DRAW HOST GOVERNMENT ATTENTION TO STRONG SUPPORT FOR WHALE CONSERVATION EXPRESSED BY PRESIDENT CARTER IN HIS ENVIRONMENTAL MESSAGE TO CONGRESS ON MAY 23. IN ACCORDANCE WITH PROVISIONS OF MARINE MAMMAL PROTECTION ACT, AS EXTENDED WITH U.S. FISHERIES JURISDICTION LAST YEAR TO 200 MILES, PRESIDENT  
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CARTER DIRECTED THAT COMMERCIAL WHALING BE PROHIBITED WITHIN OUR 200-MILE ZONE. AT THE SAME TIME THE PRESIDENT CALLED FOR NEGOTIATIONS WITHIN THE IWC FOR A STRONGER INTERNATIONAL CONSERVATION REGIME FOR WHALES AND OTHER CETACEANS, AFFORDING THEM PROTECTION THROUGHOUT THEIR RANGE; HE REAFFIRMED

U.S. SUPPORT FOR A 10-YEAR MORATORIUM ON COMMERCIAL WHALING; AND HE CALLED FOR A REPORT BY THE SECRETARY OF COMMERCE ON ACTIONS BY OTHER COUNTRIES THAT DIMINISH EFFECTIVENESS OF IWC CONSERVATION PROGRAM. (COMPLETE TEXT OF WHALE CONSERVATION SECTION OF PRESIDENT'S MESSAGE FOLLOWS SEPTTEL FOR POSTS INFO)

3. ISSUE OF WHALE CONSERVATION HAS BECOME MATTER OF WORLD-WIDE ENVIRONMENTAL CONCERN AS EXPRESSED BY THE UN CONFERENCE ON THE HUMAN ENVIRONMENT IN 1972, WHICH ADOPTED RESOLUTION CALLING FOR 10-YEAR MORATORIUM ON COMMERCIAL WHALING. RESOLUTION JUST PASSED BY UNITED NATIONS ENVIRONMENT PROGRAM (UNEP) GOVERNING COUNCIL AT ITS MAY 1977 MEETING IN NAIROBI, WITH SUPPORT FROM ALL GC MEMBERS (INCLUDING JAPAN) EXCEPT USSR, HAS CALLED ON IWC TO AGREE TO CONVENE, AT AN EARLY DATE, A CONFERENCE OF PLENIPOTENTIARIES TO NEGOTIATE A NEW CONVENTION ON CONSERVATION OF

WHALES AND OTHER CETACEANS. (FYI: THIS FOLLOWS UP U.S. INITIATIVE IN IWC IN 1973 WHEN WE PROPOSED REVISION AND UPDATE OF ORIGINAL 1946 WHALING CONVENTION. END FYI.)

4. MAJOR ISSUES FOR U.S. AT SUBJECT MEETING ARE: (A) REVIEW OF SCIENTIFIC PERMITS BY IWC SCIENTIFIC COMMITTEE; (B) DECISION TO CONVENE CONFERENCE OF PLENIPOTENTIARIES TO RENEGOTIATE WHALING CONVENTION; AND (C) MEASURES TO DEAL WITH NON-MEMBER WHALING NATIONS. U.S. ALSO WILL STRONGLY SUPPORT ADMISSION OF PRESS AND OBSERVERS TO PLENARY SESSIONS AND TECHNICAL COMMITTEE MEETINGS. DETAILS ARE AS FOLLOWS:  
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5. SCIENTIFIC PERMITS--NDER PRESENT IWC RULES OF PROCEDURE, FOR PURPOSES OF SCIENTIFIC RESEARCH MEMBER COUNTRIES CAN ISSUE PERMITS TO TAKE WHALES IN EXCESS OF THEIR REGULAR ALLOCATION UNDER IWC QUOTAS. USG IS PROPOSING AN AMENDMENT TO RULES OF PROCEDURE TO ENABLE SCIENTIFIC COMMITTEE TO REVIEW SUCH SCIENTIFIC PERMITS AND OFFER ITS RECOMMENDATIONS ON VALIDITY AND UTILITY OF RESEARCH CONTEMPLATED BEFORE PERMITS ARE ISSUED BY MEMBER COUNTRIES. THIS PROCEDURAL CHANGE WILL ENCOURAGE GREATER SCIENTIFIC RESEARCH COORDINATION AMONG IWC MEMBERS; IT ALSO WILL DISCOURAGE POSSIBLE USE OF SCIENTIFIC PERMITS AS DEVICE TO CIRCUMVENT LIMITATIONS IMPOSED BY IWC QUOTAS ON ALLOWABLE TAKE OF WHALES. IF THE SCIENTIFIC COMMITTEE ENDORSES A PROJECTED SCIENTIFIC PERMIT AS FULFILLING A VALID RESEARCH NEED IDENTIFIED BY THE COMMITTEE, THIS WILL ESTABLISH MORE DEFINITELY THAT PERMIT IS INDEED FOR RESEARCH PURPOSES AND IS NOT SOUGHT SIMPLE TO ENABLE INDUSTRY TO INCREASE ITS TAKE. IT MAY BE POINTED OUT THAT THE PROPOSED RULE OF PROCEDURE IS CONSISTENT WITH THE IWC CONVENTION IN THAT SCIENTIFIC COMMITTEE'S RECOMMENDATIONS IN EACH CASE WOULD BE NON-BINDING AND PERMITS WOULD CONTINUE TO BE ISSUED BY THE NATIONAL GOVERNMENTS.

6. RENEGOTIATION CONFERENCE--(A) 29TH IWC MEETING WILL DECIDE UPON WHETHER TO MOVE AHEAD AT THIS TIME WITH PLANS TO CONVENE CONFERENCE OF PLENIPOTENTIARIES TO NEGOTIATE NEW CONVENTION TO REVISE AND REPLACE PRESENT IWC CONVENTION (WHICH DATES FROM 1946.) REQUEST EMBASSY OFFICER SEEK SUPPORT FOR CONVENING CONFERENCE OF PLENIPOTENTIARIES BEFORE END OF 1978. USG CONSIDERS IT IMPORTANT THAT NEW CONVENTION BE NEGOTIATED WITHOUT FURTHER DELAY BECAUSE (A) MANY MEMBER NATIONS HAVE ALREADY EXTENDED FISHERIES JURISDICTION TO 200-MILES, AND OTHERS ARE LIKELY TO DO SO; (B) IN ADDITION TO WHALES AS AT PRESENT, SMALLER CETACEANS SHOULD BE COVERED BY CONVENTION; AND (C) CONVENTION SHOULD BE UP-  
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DATED SO AS TO REFLECT THE IMPROVEMENTS IN WHALE CONSERVATION IMPLEMENTED BY THE IWC IN RECENT YEARS. WE ALSO WISH TO SEE CLEAR RECOGNITION IN NEW CONVENTION OF RIGHT OF COASTAL STATES TO IMPOSE IN THEIR OWN AREAS OF JURISDICTION STRICTER CONSERVATION MEASURES THAN THOSE SET UNDER INTERNATIONAL CONSERVATION REGIME. (FYI: THIS CONCEPT IS CONSISTENT WITH U.S. POSITION AT LAW OF THE SEA CONFERENCE AND WITH MARINE MAMMAL PROVISIONS IN LOS REVISED SINGLE NEGOTIATING TEXT. END FYI.) (B) IF QUESTION OF DRAFT REVISED CONVENTION TEXT TO BE SUBMITTED TO CONFERENCE OF PLENIPOTENTIARIES IS RAISED, EMBASSY OFFICER SHOULD INDICATE USG ANTICIPATES THAT 29TH MEETING OF IWC IN JUNE WILL AGREE ON SENDING DRAFT REVISED CONVENTION TEXT TO ALL POTENTIALLY INTERESTED NATIONS NOT PRESENTLY MEMBERS. PRESENT DRAFT WAS DEVELOPED OVER PAST THREE YEARS BY IWC MEMBER NATIONS WORKING GROUP. REQUEST EMBASSY SEEK AGREEMENT FROM HOST GOVERNMENT THAT LATEST ROUND OF PROPOSED CHANGES TO DRAFT TEXT, INCLUDING SEVERAL JUST SUBMITTED BY U.S., BE INCORPORATED IN PRESENT DRAFT TEXT AS ADDITIONAL ALTERNATIVE FORMULATIONS WITHOUT PROLONGING FURTHER THE PRENEGOTIATION IN IWC WORKING GROUP. FYI: SOME WORKING GROUP MEMBERS BELIEVE WORKING GROUP SHOULD STRIVE TO RESOLVE ALL OUTSTANDING DIFFERENCES. . IN OUR VIEW, PRESENT DRAFT TEXT REPRESENTS MAXIMUM -ONSENSUS ACHIEVABLE IN WORKING GROUP AFTER THREE YEARS OF WORK, AS IS CUSTOMARY INTERNATIONALLY, ALTERNATIVE FORMULATIONS SHOULD BE SET FORTH IN TEXT WHERE DIFFERENCES STILL EXIST ON CERTAIN PROVISIONS, PENDING NEGOTIATION AT POLITICAL LEVEL AT CONFERENCE OF PLENIPOTENTIARIES. WE BELIEVE IT IS IMPERATIVE TO MOVE AHEAD AT THIS STAGE TO ACTUAL TASK OF NEGOTIATION AT CONFERENCE. END FYI.

7. NON-MEMBER NATIONS--AS IN THE PAST, USG CONTINUES TO BE CONCERNED ABOUT WHALING BY NON-MEMBER NATIONS OUTSIDE IWC CONSERVATION REGIME. LAST YEAR IWC PASSED RESOLUTIONS ADDRESSED TO EACH NON-MEMBER WHALING NATION, URGING THAT THEY UNCLASSIFIED

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JOIN IWC AND ABIDE BY IWC REGULATIONS; IWC ALSO PASSED RESOLUTION CALLING UPON MEMBER NATIONS NOT TO SELL OR TRANSFER WHALING VESSELS, EQUIPMENT OR EXPERTISE TO NON-MEMBER NATIONS. AT 29TH MEETING USG WILL PROPOSE NEW RESOLUTION AND ALSO PROPOSE NEW SCHEDULE PROVISION TO PROHIBIT IMPORT BY MEMBER NATIONS OF WHALE PRODUCTS FROM NON-MEMBER NATIONS. U.S. MOVE IS FURTHER EFFORT TO BRING NON-MEMBERS INTO IWC AND GAIN THEIR ADHERENCE TO ITS CONSERVATION MEASURES. REQUEST EMBASSY SEEK HOST GOVT SUPPORT FOR SUCH A RESOLUTION. FYI: PRINCIPAL REASON FOR WHALING BY NON-MEMBERS IS FOR PURPOSE OF EXPORT OF WHALE PRODUCTS, MAINLY TO IWC MEMBER NATIONS. END FYI.

8. USG WILL URGE THAT IWC AGREE TO OPEN ITS PLENARY AND TECHNICAL COMMITTEE MEETINGS TO PRESS AND OBSERVERS FROM INTERESTED CITIZEN GROUPS--NATIONAL AND INTERNATIONAL. EMBASSY OFFICER SHOULD REQUEST SUPPORT FOR THIS POSITION. EXCLUSION OF THE PUBLIC AND PRESS CAN GIVE CREDENCE TO DISTORTED VIEW OF IWC AS CLUB OF EXPLOITERS. OPEN MEETINGS WOULD DISPEL ANY SUCH MISCONCEPTION AND WOULD ENABLE PUBLIC APPRECIATION AT FIRST HAND OF PROGRESS BEING MADE BY IWC.

9. USG EXPECTS DISCUSSION OF NEW MANAGEMENT PROCEDURE (NMP) PRINCIPLES AT FORTHCOMING MEETING. FYI: NMP IS A SET OF AGREED CONCEPTS USED BY SCIENTIFIC COMMITTEE AND THE COMMISSION IN ESTABLISHING ALL IWC CONSERVATION MEASURES FOR WHALES. IT TOOK TWO YEARS TO GAIN 1975 IWC AGREEMENT ON NMP WHICH REPRESENTS SIGNIFICANT COMPROMISES BY ALL CONCERNED IN INTEREST OF SOUND CONSERVATION PROGRAM. END FYI. USG WILL FIRMLY SUPPORT MAINTENANCE OF NMP. EMBASSY OFFICER SHOULD SEEK SUPPORT OF HOST GOVERNMENT FOR THIS POSITION.

10. EMBASSY OFFICER SHOULD REQUEST INFORMATION AS TO WHO THE COMMISSIONER FROM HOST GOVERNMENT WILL BE. U.S. DEKE-UNCLASSIFIED

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GATES EXPECT TO ARRIVE IN CANBERRA DURING WEEK OF JUNE 13 AND WOULD APPRECIATE OPPORTUNITY FOR CONSULTATIONS WITH OTHER IWC MEMBER COUNTRY COMMISSIONERS AND DELEGATION MEMBERS. VANCE

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ORIGIN OES-04

INFO OCT-01 ISO-00 /005 R

66011  
DRAFTED BY OES/ENP/EN:CHSANDERS  
APPROVED BY OES/ENP/EN:DRKING  
-----160701Z 087547 /21

P 160318Z JUN 77  
FM SECSTATE WASHDC  
TO AMEMBASSY MOSCOW PRIORITY

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FOL REPEAT STATE 127607 ACTION BRAZILIA BUENOS AIRES CANBERRA  
COPENHAGEN OSLO LONDON MEXICO MOSCOW OTTAWA PANAMA PARIS PRETORIA  
CAPE TOWN REYKJAVIK TOKYO WELLINGTON LISBON MADRID SANTIAGO  
SEOUL STOCKHOLM THE HAGUE LIMA CARACAS BERN BRUSSELS BONN

SAN JOSE QUITO DTD 2 JUN.

QUOTE

UNCLAS STATE 127607

CAPE TOWN FOR EMBASSY

E.O. 11652: N/A

TAGS: PO, SP, SO, CI, KS, SW, NL, NZ, PE, SENV, IWC

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UPDATE OF ORIGINAL 1946 WHALING CONVENTION. END FYI.)

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TEXT WHERE DIFFERENCES STILL EXIST ON CERTAIN PROVISIONS, PENDING NEGOTIATION AT POLITICAL LEVEL AT CONFERENCE OF PLENIPOTENTIARIES. WE BELIEVE IT IS IMPERATIVE TO MOVE AHEAD AT THIS STAGE TO ACTUAL TASK OF NEGOTIATION AT CONFERENCE. END FYI.

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MISSION IN ESTABLISHING ALL IWC CONSERVATION MEASURES FOR WHALES. IT TOOK TWO YEARS TO GAIN 1975 IWC AGREEMENT ON NMP WHICH REPRESENTS SIGNIFICANT COMPROMISES BY ALL CONCERNED IN INTEREST OF SOUND CONSERVATION PROGRAM. END FYI. USG WILL FIRMLY SUPPORT MAINTENANCE OF NMP. EMBASSY OFFICER SHOULD SEEK SUPPORT OF HOST GOVERNMENT FOR THIS POSITION.

10. EMBASSY OFFICER SHOULD REQUEST INFORMATION AS TO WHO THE COMMISSIONER FROM HOST GOVERNMENT WILL BE. U.S. DELEGATES EXPECT TO ARRIVE IN CANBERRA DURING WEEK OF JUNE 13 AND WOULD APPRECIATE OPPORTUNITY FOR CONSULTATIONS WITH OTHER IWC MEMBER COUNTRY COMMISSIONERS AND DELEGATION MEMBERS. VANCE

UNQUOTE CHRISTOPHER

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<< END OF DOCUMENT >>

## Message Attributes

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**Channel Indicators:** n/a  
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**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
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**TAGS:** SENV, PO, SP, SO, CI, KS, SW, NL, NZ, PE, US, IWC-1  
**To:** BRASILIA BUENOS AIRES MULTIPLE  
**Type:** TE  
**vdkgvwkey:** odb://SAS/SAS.dbo.SAS\_Docs/29219e73-c288-dd11-92da-001cc4696bcc  
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Declassified/Released  
US Department of State  
EO Systematic Review  
22 May 2009  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009